

JUL 2 2005
IN CLERK
U.S. DISTRICT COURT
JUL 2 2005

**MEMORANDUM
TO THE HONORABLE JACK B. WEINSTEIN
SENIOR U.S. DISTRICT JUDGE**

P.M. _____

RE: RIZZO, Michael
DKT. #: 99-CR-160
NOTIFICATION OF ARREST

On December 2, 1999, Your Honor sentenced the captioned offender to fifty-one (51) months custody followed by three (3) years of supervised release. This sentence followed the offender's plea of guilty to one count of Racketeering and one count of Money Laundering. A \$200 Special Assessment fell (paid) was also imposed.

On April 16, 2003, the offender was released from federal custody. Our office has assumed supervision responsibility since that time.

The purpose of this memorandum is to notify the Court that on July 9, 2005, officers from the New York City Police Department arrested the offender and charged him with Assault, Menacing, Attempted Petit Larceny, Attempted Grand Larceny, three (3) counts of Attempted Robbery and Harassment. Details concerning the arrest indicate that on July 9, 2005, at approximately 4:00 AM, outside the GAZEBO Nite Club in Brooklyn, the offender, acting in concert with James Kotsis and William Ciccone, attempted to steal a wristwatch from Michael Schultz. The three offenders cornered Schultz outside the club and repeatedly punched and kicked Schultz causing substantial injury and pain. While the assault and attempted robbery were taking place, officers responded to the scene and placed all three offenders under arrest. The offender was arraigned in Brooklyn Criminal Court under Docket Number 2005KNO44105 later that morning and released on bail. The next scheduled court appearance is scheduled for August 25, 2005. The offender called the Probation Department on the day of his arrest to notify of same. When questioned concerning the arrest, the offender attempted to minimize his role and claimed no part in the attempted robbery or assault. He claimed that he was essentially a bystander during the whole event.

Despite repeated attempts, we have been unable to contact the arresting officer and Assistant District Attorney in order to obtain further details. At this time we are recommending that no action be taken pending further investigation. Once we secure more details, we will immediately petition the Court recommending appropriate action. Please advise us of your decision by signing the appropriate line below.

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The Court directs the following:

Take No Action: now, but proceed promptly with investigation
Jack B. Weinstein, Sr. United States District Judge
1- 7/25/05

Petition the Court for the

Issuance of a Warrant:

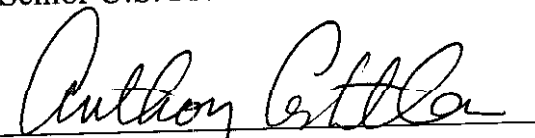
Jack B. Weinstein, Sr. United States District Judge

Written by:



Robert W. Anton
Senior U.S. Probation Officer

Approved by:



Anthony Castellano
Supervising U.S. Probation Officer

July 22, 2005
Brooklyn, NY